

Agilent Ref: 10004190-1
United States Application Serial No. 09/846,058

REMARKS

Formal Matters

Claims 1-9 and 28-46 are pending.

Claims 28, 29, 31, 35 and 39-45 are allowed.

Claims 1-9, 27, 30, 32-34, 36 and 46 are rejected.

Claims 1, 4 and 46 are amended. Support for the amendment is found on page 7, lines 1-9. No new matter is added.

Applicants respectfully request reconsideration of the application.

Allowable subject matter

The Examiner's allowance of claims 28, 29, 31, 35 and 39-45 is gratefully acknowledged.

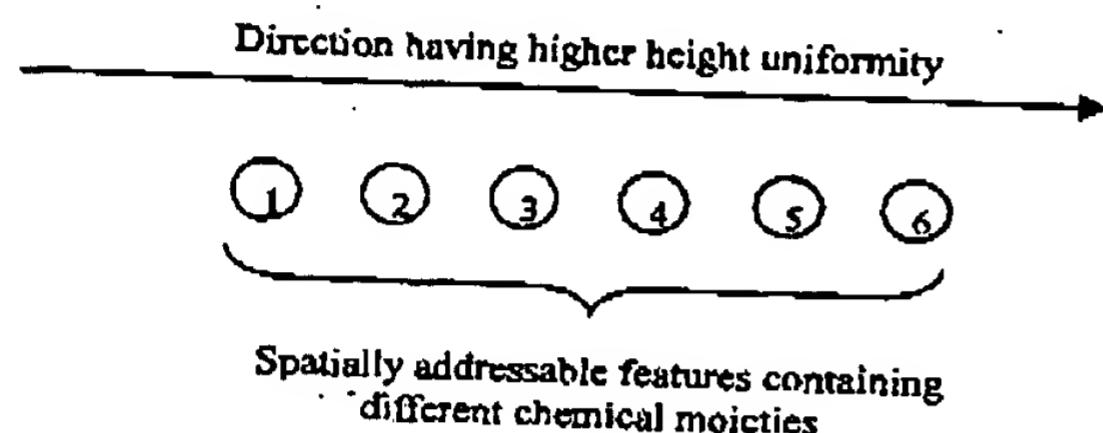
Rejection of claims under 35 U.S.C. § 102(e) - Indermuhle

Claims 1-9, 30, 32-34, 36 and 46 are rejected under 35 U.S.C. § 102(e) as being anticipated by Indermuhle (US20010036674). The Applicants respectfully traverse this rejection.

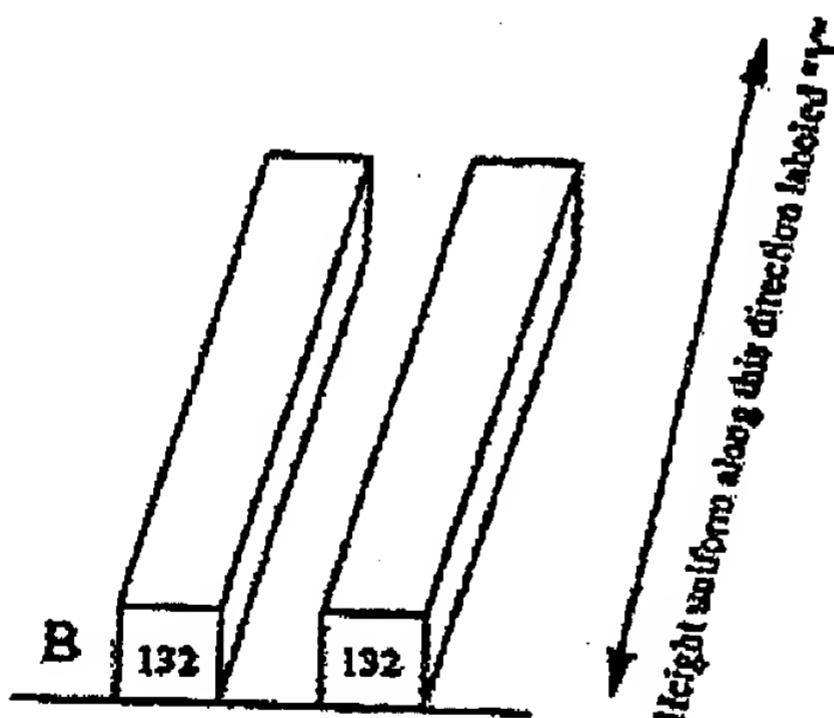
Without any intention to acquiesce to the correctness of this rejection and solely to expedite prosecution, the claims have been amended to recite depositing different chemical moieties in rows on a substrate, where the rows a) each contain a plurality of spatially addressable features and b) are more closely aligned with a direction having the higher height uniformity.

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In other words, the different chemical moieties may be placed onto a substrate to form spatially addressable features in a row as follows:



Indermuhle discloses a pillar array. As illustrated in Indermuhle's Fig. 24, Indermuhle's pillar array may contain pillars that are rectangular in shape. In the Office Action, the Examiner argues that the longest dimension of the top of a rectangular pillar is the direction having the higher height uniformity. A figure illustrating this point, copied from a prior Office Action, is set forth below.



As illustrated in Indermuhle's Figs. 8, 9 and 25, Indermuhle places chemical moieties on the top of each pillar by essentially "dipping" the pillar into a reagent trough. This is the central core of Indermuhle's technology.

At no point does Indermuhle disclose depositing a row containing a plurality of spatially addressable features containing different chemical moieties onto the top of a

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rectangular pillar. Since Indermuhle's technology relies on "dipping" pillars into reagent troughs, this would be impossible.

In other words, the rejected claims recite a *plurality* of spatially addressable features that extend along a row in the direction having higher height uniformity.

Indermuhle does not disclose such a row of features. Instead, Indermuhle discloses a *single* elongated "feature" that extends along the entire length of a row in the direction having higher height uniformity.

Indermuhle does not provide a row containing a *plurality* of features because it would involve depositing spatially addressable features lengthwise along the top of a rectangular pillar. Since this would be impossible to do using Indermuhle's dipping technology, Indermuhle neither discloses such a feature, nor enables such a feature.

In view of the foregoing discussion, the Applicants respectfully submit that Indermuhle fails to disclose an element of the claims, i.e., rows containing a plurality of spatially addressable features that different chemical moieties, where the rows are more closely aligned with a direction having the higher height uniformity. Withdrawal of this rejection is respectfully requested.

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CONCLUSION

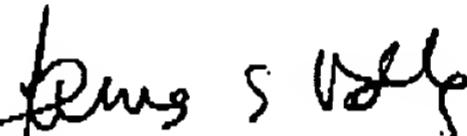
Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,
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Date: September 8, 2005

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